

ESTTA Tracking number: **ESTTA244526**

Filing date: **10/23/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92048686
Party	Defendant BIOTEST AG
Correspondence Address	BIOTEST AG Waldfriedstrasse 4 Frankfurt/Main, 60528 GERMANY TMDE@ratnerprestia.com
Submission	Other Motions/Papers
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Date	10/23/2008
Attachments	Withdrawal of Biotest Canc.pdf (2 pages)(53687 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HepaHope, Inc.

Petitioner,

v.

Biotest AG

Registrant

Cancellation No. 92048686

Mark: BIOTEST

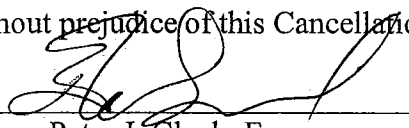
Registration No: 2,961,650

Registered: June 14, 2005

STIPULATED WITHDRAWAL OF PETITION FOR CANCELLATION

On January 4, 2008, HepaHope, Inc. ("Petitioner") filed a Petition for Cancellation of Registration against Biotest AG ("Registrant") for the mark BIOTEST, Registration No. 2,961,650 in the U.S. Patent and Trademark Office. Petitioner and Registrant have concurrently herewith entered into an agreement resolving all matters related to this Cancellation No. 92048686. Therefore, Petitioner and Registrant hereby consent to the concurrent withdrawal without prejudice of this Cancellation No. 92048686.

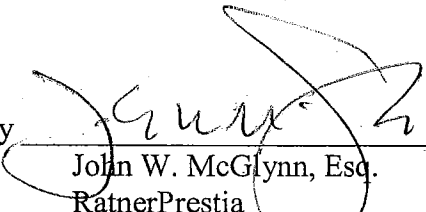
By


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Attorneys for Petitioner

Dated: August 30, 2008

By


John W. McGlynn, Esq.
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1007 Orange Street, Ste 1100
P.O. Box 1596
Wilmington, DE 19899

Attorney for Registrant

Dated: August 30, 2008

For Good Cause Appearing, it is hereby Ordered that Cancellation No. 92048686 is dismissed without prejudice.

Dated: _____, 2008

Signed: _____

BY:

Trademark Trial and Appeal Board